

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

James (Brenson) Muhammad,)	CASE NO. 3:12 MC 119
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Gary C. Mohr, et al.,)	
)	
Defendants.)	

Plaintiff *pro se* James (Brenson) Muhammad, an inmate at the Toledo Correctional Institution, filed a Motion for Temporary Restraining Order in this miscellaneous case on September 13, 2012. The Motion seeks an order preventing Ohio Department of Rehabilitation and Correction (ODRC) officials from implementing new policies regarding who may provide funds for inmate accounts, and the manner in which such funds may be provided.

The factors considered in determining whether or not to grant preliminary injunctive relief are: 1) the likelihood of success on the merits; 2) the extent of irreparable injury; 3) the potential harm to others if the order is issued; and 4) the effect on the public interest. *Washington v. Reno*, 35 F.3d 1093, 1099 (6th Cir. 1994).

Plaintiff has not, as a matter of law, set forth facts or requested relief that might warrant the issuance of the extraordinary remedy of a temporary restraining order. He has not, for example, filed a complaint setting forth legal claims on which to base his Motion. *See*, Rule 3, Federal Rules of Civil Procedure (civil action is commenced by the filing of a complaint). Further, it is unclear what harm Plaintiff will suffer from the implementation of the new ODRC policies.

Accordingly, the Motion for Temporary Restraining Order is denied without prejudice, and this miscellaneous case is terminated.

So Ordered.

s/ Jeffrey J. Helmick

United States District Judge